

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

ONLY AL-KHIDHR

PLAINTIFF

CIVIL ACTION NO.: 1:07cv1223LG-RHW

VERSUS

**HARRISON COUNTY, MISSISSIPPI BY AND
THROUGH ITS BOARD OF SUPERVISORS;
HARRISON COUNTY SHERIFF GEORGE PAYNE,
IN HIS OFFICIAL CAPACITY;
SUPERVISOR OF BOOKING CAPTAIN RICK GASTON,
acting under color of state law,
CORRECTIONS OFFICER MORGAN THOMPSON,
acting under color of state law, CORRECTIONS OFFICER
THOMAS MOORE, acting under color of state law.**

DEFENDANTS

**DEFENDANTS GASTON AND THOMPSON'S RESPONSE IN OPPOSITION TO
PLAINTIFF'S OBJECTIONS TO PROPOSED FINDINGS OF FACT AND
RECOMMENDATIONS**

COMES now Defendants Morgan Thompson and Rick Gaston and file this, their response in opposition to Plaintiff's Objections to Proposed Findings of Fact and Recommendations [#200], and would show as follows:

- _____1. Defendants Thompson and Gaston's argument and authorities are set forth more fully in the accompanying memorandum in response to Plaintiff's Objections to Proposed Findings of Fact and Recommendations [#200].
- _____2. In support of the instant motion, Defendants Gaston and Thompson submit the following exhibits, to wit:
 - A. Exhibit "A" - Copy of October 23, 2009 email;
 - B. Exhibit "B" - Copy of October 26, 2009 email.

WHEREFORE, premises considered, Defendants Gaston and Thompson respectfully request that this Court adopt the findings and recommendations by the United States Magistrate Judge set forth more fully in “Proposed Findings and Recommendations” [#189]. Further, Defendants Gaston and Thompson request that their Motion to Strike the designation of Dr. Barry Crown, Thomas H. Christiansen and Plaintiff’s unidentified treating physicians be granted as unopposed

RESPECTFULLY SUBMITTED this 9th day of December, 2009.

MORGAN THOMPSON and RICK
GASTON,
Defendants

BY: /s/ IAN A. BRENDEL
JAMES L. DAVIS, III
IAN A. BRENDEL
Attorneys for Defendants

CERTIFICATE OF SERVICE

I, IAN A. BRENDEL, attorney at law, do hereby certify that I have this day electronically filed the foregoing with the Clerk of the Court using the ECF filing system, and the same has been electronically transmitted to:

Alvin Chase, Esq.
Chase, Chase & Associates, PLLC
P.O. Box 7119
D’Iberville, MS 39540

Deborah McDonald, Esq.
P. O. Box 2038
Natchez, MS 39120

Karen Young, Esq.
Meadows Law Firm

P.O. Box 1076
Gulfport, MS 39502

Cy Faneca, Esq.
Joe Gewin, Esq.
Haley Broom, Esq.
Dukes, Dukes, Keating & Faneca
P.O. Drawer W
Gulfport, MS 39502

THIS the 9th day of December, 2009.

/s/ IAN A. BRENDEL
IAN A. BRENDEL

JAMES L. DAVIS, III, MS Bar # 5380
IAN A BRENDEL, MS Bar # 102659
Attorneys at Law
1904 – 24th Avenue
P. O. Box 1839
Gulfport, MS 39502
Ph: 228/864-1588
Fx: 228/863-5008